

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2008-031021-001 DT

01/15/2013

HON. SHERRY K. STEPHENS

CLERK OF THE COURT
C. McCain
Deputy

STATE OF ARIZONA

JUAN M MARTINEZ

v.

JODI ANN ARIAS (001)

KIRK NURMI
JENNIFER L WILLMOTT

TRIAL MINUTE ENTRY
DAY 14

Courtroom SCT5C

State's Attorney:	Juan Martinez
Defendant's Attorney:	Kirk Nurmi and Jennifer Willmott
Defendant:	Present

Court Reporter, Barbara Stockford, is present.

A record of the proceeding is also made by audio and/or videotape.

Prior to the start of trial, Defendant's Exhibit # 361 is marked for identification.

10:55 a.m. Trial to Jury continues from 01/14/2013.

The jury is present.

State's case continues.

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Jody Citizen is sworn and testifies.

State's Exhibit # 362 is marked for identification.

Exhibit # 362 is received in evidence.

The witness testifies further.

LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the Jury and on the record.

Defendant's Exhibit # 363 is marked for identification.

The witness testifies further.

Exhibit # 363 is received in evidence.

The witness testifies further.

The witness steps down.

11:49 a.m. The Jury is reminded of the admonition and stands in recess until 1:30 p.m. Court remains in session.

LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the Court and on the record.

Argument is presented on Defendant's claim of prosecutorial misconduct in regards to the Defendant's Motion for Mistrial as stated on the record.

Counsel for the Defendant makes an oral Motion for Order granting independent testing of a Cannon camera in the possession of the Mesa PD, ID# MP402827. Counsel for the State has no objection.

The Court will address the issue after the lunch break.

11:59 p.m. Court stands in recess until 1:30 p.m.

State's Exhibit # 364 is marked for identification.

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1:31 p.m. Court reconvenes with Defendant and respective counsel all present in Chambers.

Court Reporter, Barbara Stockford, is present.

Case agent, Detective Flores, is present.

Sandy Arias is present and informs the Court she was told information regarding possible juror misconduct. Sandy Arias leaves Chambers.

Discussion is held as stated on the record. Each Juror will be brought in individually and questioned.

Juror # 12 is present and private Voir Dire proceeds.

Juror # 12 returns to the jury room.

Juror # 15 is present and private Voir Dire proceeds.

Juror # 15 returns to the jury room.

Juror # 4 is present and private Voir Dire proceeds.

Juror # 4 returns to the jury room.

Juror # 17 is present and private Voir Dire proceeds.

Juror # 17 returns to the jury room.

Juror # 5 is present and private Voir Dire proceeds.

Juror # 5 returns to the jury room.

Juror # 18 is present and private Voir Dire proceeds.

Juror # 18 returns to the jury room.

Juror # 9 is present and private Voir Dire proceeds.

Juror # 9 returns to the jury room.

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Juror # 2 is present and private Voir Dire proceeds.

Juror # 2 returns to the jury room.

Juror # 13 is present and private Voir Dire proceeds.

Juror # 13 returns to the jury room.

Juror # 11 is present and private Voir Dire proceeds.

Juror # 11 returns to the jury room.

Juror # 10 is present and private Voir Dire proceeds.

Juror # 10 returns to the jury room.

Juror # 8 is present and private Voir Dire proceeds.

Juror # 8 returns to the jury room.

Juror # 6 is present and private Voir Dire proceeds.

Juror # 6 returns to the jury room.

Juror # 1 is present and private Voir Dire proceeds.

Juror # 1 returns to the jury room.

Juror # 7 is present and private Voir Dire proceeds.

Juror # 7 returns to the jury room.

Juror # 14 is present and private Voir Dire proceeds.

Juror # 14 returns to the jury room.

Juror # 3 is present and private Voir Dire proceeds.

Juror # 3 returns to the jury room.

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Juror # 16 is present and private Voir Dire proceeds.

Juror # 16 returns to the jury room.

Discussion is held as stated on the record.

2:02 p.m. All parties return to the Court room.

State's Exhibit # 365 is marked for identification.

2:06 p.m. Court reconvenes with Defendant and respective Counsel present.

Court Reporter, Barbara Stockford, is present.

The Jury is present.

State's Exhibit # 366 is marked for identification.

Larry Gladys is sworn and testifies.

Exhibit #365 is offered in evidence.

LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the Jury and on the record.

Exhibit # 365 is received in evidence.

The witness testifies further.

LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the Jury and on the record.

The witness testifies further.

LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the Jury and on the record.

The witness testifies further.

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LET THE RECORD REFLECT a Juror Question has been received by the Court; same is discussed with Counsel out of hearing of the jury, and the Court addresses the witness regarding the issue.

FILED: Juror Question

The witness steps down.

Detective Esteban Flores having been previously sworn testifies further.

Exhibit # 358 is received in evidence.

The witness testifies further.

Exhibit # 359 is received in evidence.

The witness testifies further.

State's Exhibit # 367 and 368 are marked for identification.

Exhibit #'s 367 and 368 are offered in evidence.

3:02 p.m. The Jury is reminded of the admonition and Court stands in recess.

3:18 p.m. Court reconvenes with Defendant and respective Counsel present.

Court Reporter, Barbara Stockford, is present.

The Jury is present.

LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the Jury and on the record.

Exhibit #'s 367 and 368 are received in evidence.

The witness testifies further.

State's Exhibit #'s 369 thru 380 are marked for identification.

Exhibit # 380 is offered in evidence.

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LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the Jury and on the record.

State's Exhibit # 381 is marked for identification.

The witness testifies further.

Exhibit # 381 is offered in evidence.

LET THE RECORD REFLECT Counsel approach the bench and discussion is held out of the hearing of the Jury and on the record.

Exhibit # 381 is received in evidence.

4:59 p.m. The Jury is reminded of the admonition and stands in recess until 01/17/2013 at 10:30 a.m. Court remains in session.

Discussion is held as stated on the record.

5:01 p.m. Court stands in recess until 01/17/2013 at 10:30 a.m.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>. Attorneys are encouraged to review Supreme Court Administrative Order 2011-140 to determine their mandatory participation in eFiling through AZTurboCourt.